UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,556	11/30/2000	Matthias Breuer	P-4583	4954

7590 07/02/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2174	11

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DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No. ● ●	Applicant(s)
Office Action Summary	09/728,556	BREUER, MATTHIAS
	Examiner	**Art Unit**	
	Truc T Chuong	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 April 2004_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-22_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to Amendment B, filed 04/08/04.

2.   Claims 1-22 are pending in this application. Claims 1, 8, 15, and 22 are independent

claims. In Amendment B, claims 1, 8, 14, 15, and 22 are amended. This action is made non-final.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-4, 7-11, 14-18, and 21-22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lee et al. (U.S. Patent No. 5,937,163) in view of Paleiov et al. (U.S. Patent

No. 6,275,142 B1).

        As to claim 1, Lee teaches a computer-based method of interactively generating an index

page comprising:

                displaying a window including a list of index page types (table of contents, col. 9

lines 59-67 and figs. 10-11);

                displaying a window including a list of index line types for one index page type

upon selection of said one index page type in said list of index page types (list of entries,

col. 9 lines 51-58, and elements 120' of fig. 10);

displaying a token string including a plurality of tokens for one index line type,

upon selection of one index line type in said list of index line types (col. 11 lines 53-67

and fig. 10), wherein said plurality of tokens includes only tokens appropriate for said

one index line type (distinct organization, col. 11 lines 59-66); and

displaying, for at least one token in said plurality of tokens, user selectable

attributes for data associated with said at least one token (Modification of Organization,

col. 17 lines 35-67 and Options of figs. 10 and 11); however, Lee does not clearly show a

list of index page types wherein the index page types includes at least a table of contents

and a bibliography. Paleiov clearly discloses that data stored in memory 78 may include

an author profile, printing history, bibliographic information, text, page numbers, tables,

graphic images, computer program code, video, audio, graphic images, hyper-links,

nucleotide listings, or any other information suitable for storage in the memory (col. 5

lines 51-64). It would have been obvious at the time of the invention, a person with

ordinary skill in the art would want to have the index pages with bibliographic and table

of contents information of Paleiov in Lee's system to provide more related information

on one location to ease the users when searching or organizing data.

As to claim 2, Lee teaches the method of Claim 1, wherein index line types in said list of

index line types represent different levels in a hierarchical order within the index page

(hierarchical organization, col. 10 lines 1-8 and figs. 10-11).

As to claim 3, Lee teaches the method of Claim 2, wherein the list of index page types

includes a table of contents (col. 9 lines 59-76 and figs. 8, 10-11).

As to claim 4, Lee teaches the method of Claim 1, wherein the list of index page types includes a table of contents (see claim 3 above).

As to claim 7, Lee teaches the method of Claim 1, wherein the at least one token is a tabulator token and said user selectable attributes include tabulator positions (figs. 10-12).

As to claim 8, Lee teaches a computer-based graphic user interface comprising:

an insert index page dialogue window comprising (Lee's system clearly shows that the Table of Contents can be updated to reflex changes of new links or information of those links, col. 16 lines 17-52, and fig. 10):

an index page type window wherein said index page type window includes a list of index page types; and said index page type window displays at least one index page type in said index list of index page types (col. 9 lines 51-58, and elements 120' of fig. 10);

an index page title window coupled to said index page title window displays a title for said at least one index page type (fig. 10);

an index line type window coupled to said at least one index page type window wherein said index line type window includes a list of index line types for said at least one index page type (list of entries, col. 9 lines 51-58, and elements 120' of fig. 10); and

a token string coupled to said at least one index line type window (col. 11 lines 53-67 and fig. 10) wherein said token string includes a plurality of tokens and further wherein each token comprises an element in an index line type selected in said index line type window (col. 11 lines 59-66, and fig. 10).

As to claims 9-11, these are product claims of method claims 2-4. Note the rejections of

claims 2-4 above respectively.

As to claim 14, Lee teaches the graphic user interface of claim 8, wherein at least one

token in said plurality of tokens is tabulator token and user selectable attributes include tabulator

positions (fig. 10-12).

As to claims 15-18, these are program product claims of method claims 1-4. Note the

rejections of claims 1-4 above respectively.

As to claim 21, this is a program product claim of method claim 7. Note the rejection of

claim 7 above.

As to claim 22, this is a system claim of method claim 1. Note the rejection of claim 1

above.

5.   Claims 5-6, 12-13, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lee et al. (U.S. Patent No. 5,937,163) in view of Paleiov et al. (U.S. Patent No. 6,275,142

B1) as applied to above, and further in view of Rivette et al. (U.S. Patent No. 5,623,679).

As to claim 5, Lee in view of Paleiov teaches the method of Claim 1 wherein the list of

index page types but does not show the index page types includes a bibliographic index. Rivette

clearly teaches bibliographic index (col. 19 lines 37-55 and figs. 14, 29, and 32). It would have

been obvious at the time of the invention, a person with ordinary skill in the art would want to

have bibliographic formatting information of Rivette's displaying data object in Lee in view of

Paleiov's system to provide more related information to the users on different sources.

As to claim 6, it is individually similar in scope to claim 5 above; therefore, rejected

under similar rationale.

As to claims 12 and 13, these are product claims of method claims 5 and 6. Note the

rejections of claims 5 and 6 above respectively.

As to claims 19 and 20, these are program product claims of method claims 5 and 6. Note

the rejections of claims 5 and 6 above respectively.

Response to Arguments

Applicant's arguments with respect to claims 1-22 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The

examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong
06/23/04

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